97-84026-9

Turner, Jesse

Concerning divers notable stirs...Sir Edward Coke...

[St. Louis]

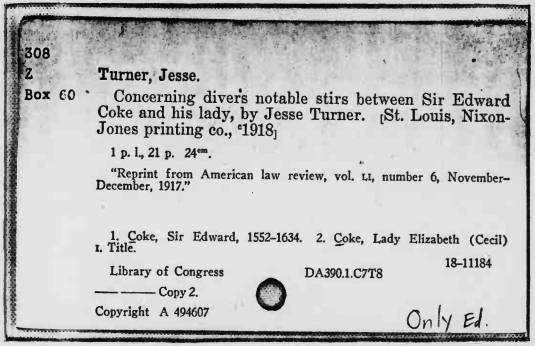
[c1918]

97-84026-9
MASTER NEGATIVE #

COLUMBIA UNIVERSITY LIBRARIES
PRESERVATION DIVISION

BIBLIOGRAPHIC MICROFORM TARGET

ORIGINAL MATERIAL AS FILMED - EXISTING BIBLIOGRAPHIC RECORD



308
Z
Box 60

Turner, Jesse.

Concerning divers notable stirs between Sir Edward Coke and his lady, by Jesse Turner. [St. Louis, Nixon-Jones printing co., °1918]

1 p. l., 21 p. 24cm.

"Reprint from American law review, vol. LI, number 6, November–December, 1917."

1. Coke, Sir Edward, 1552–1634. 2. Coke, Lady Elizabeth (Cecil) I. Title.

Library of Congress DA390.1.C7T8 18-11184

——— Copy 2.

Copyright A 494607

Only Ed.

RESTRICTIONS ON USE: Reproductions may not be made without permission from Columbia University Libraries.

TECHNICAL MICROFORM DATA

FILM SIZE: 35mm REDUCTION RATIO: 12:1 IMAGE PLACEMENT: IA (IIA) IB IIB

DATE FILMED: 2-25-97 INITIALS: PB

TRACKING # : 21409

FILMED BY PRESERVATION RESOURCES, BETHLEHEM, PA.

308
Z
Box 60

Concerning Divers Notable Stirs between Sir Edward Coke and his Lady

BY

JESSE TURNER

Reprint from American Law Review
Vol. LI., Number 6
November-December, 1917

Concerning Divers Notable Stirs between Sir Edward Coke and his Lady

BY

JESSE TURNER

Reprint from American Law Review
Vol. LI., Number 6
November-December, 1917

Author's gift
2/15/18

Jan. 25, 1917 ACT

Concerning Divers Notable Stirs between Sir Edward Coke and His Lady

"This suit, happily for Bacon, was unsuccessful. The lady was indeed kind to him in more ways than one. She rejected him, and she accepted his enemy. She married that narrow-minded, bad hearted pedant, Sir Edward Coke, and did her best to make him as miserable as he deserved to be."

Thus, without descending into particulars, and with characteristic epigramatic pungency, writes Macaulay.[1]

In the following pages I shall, by way of short commentary on the Essayist's summary judgment, relate several episodes in the internecine wars waged for so many years between Sir Edward Coke and his spouse.

But first, as is meet, the Lady.

She was a daughter of Sir Thomas Cecil, the eldest son of the great Lord Burghley.

She had married Sir William Hatton, the nephew and heir of Queen Elizabeth's dancing lover, Lord Chancellor Hatton. At twenty, she became a widow. She possessed, in large degree, wit, beauty and worldly fortune. A prodigiously violent temper possessed her.[2]

Soon Bacon, her cousin, then in debt and with somewhat dubious prospects, appeared in the offing. At the same time, his implacable foe, the ferocious Coke, now a widower, hove in sight and ("two souls with but a single thought!") they both simultaneously bore down on the rich argosy.

[1] In his Essay on Lord Bacon.

[2] When Ben Jonson's "Masque of Beauty" was played before the King in 1607, she was one of the fifteen Court Beauties who, with the Queen, appeared in the show.

(Copyright 1917, by Jesse Turner.)

Bacon was warmly supported by the graceful and gracious Essex. Not only this: Coke was handicapped by 'seven weighty objections: his six children and himself.'

But Bacon must have labored under still more formidable disabilities. For does not all the world now know that he has written?

"Amongst all the great and worthy persons whereof the memory remaineth, either ancient or recent, there is not one that hath been transported to the mad degree of love —which shows that great spirits and great business do keep out this weak passion. There was never proud man thought so absurdly well of himself as the lover doth of the person loved, and therefore, it is well said that it is impossible to love and be wise."

A laggard in love was not to the liking of the spirited and capricious Lady Hatton, and, so, it came to pass that she settled the business by running off with the old widower and by contracting a clandestine marriage with him, against which the Ecclesiastical Court thundered savagely.

"But can you affection the 'oman"? inquired Sir Hugh Evans of Slender; and Slender answered unto him: "If there be no great love in the beginning, yet heaven may decrease it upon better acquaintance, when we are married and have more occasion to know one another."

Thus it turned out to be with Coke and his wife.

"For silence and chaste reserve is woman's genuine praise, and to remain quiet within the house." So wrote, and so thought, "Sad Electra's poet," for he, too, had his matrimonial infelicities. Not so thought Lady Hatton. Far from it. She declined to take her husband's name, for he was not yet knighted, and had she done so, she would have been plain Mrs. Coke. After the birth of their daughter, they lived little together, and when the child reached what passed for a marriageable age, the bickerings of the couple increased and soon attained a scandalous and pre-eminent place in the public eye and ear. The maiden, the Lady Frances by name, was now fourteen; pretty, and

what was of deeper significance, was, by reason of her mother's estate being largely entailed on her, a rich heiress.

In addition, this little Lady of great expectations, would, it might reasonably be assumed, some day come in for a generous portion of her father's vast wealth.

Now, it so happened that, at this conjuncture, still another lady,—a lady of distinguished histrionic gifts, appeared on the scene and began to play *her* part.

This was none other than Lady Compton, a most picturesque figure and a decidedly variagated character; 'a busy, intriguing, masculine and dangerous person;' not deficient in beauty and not averse to the judicious bestowal of personal favors. According to one account, she had been a kitchen-maid in the establishment of old Sir George Villiers, who, after the death of his wife, presented her with twenty pounds to improve her dress, and who, being of opinion that fine feathers make fine birds, forthwith proceeded to marry her. Weldon, not so harsh, styles her "a gentlewoman whom the old man fell in love with and married." Wilson says that Sir George was on a visit to his kinswoman, Lady Beaumont, where he found "a young gentlewoman of that name, allied, and yet a servant to the family."

At any rate, her name was Beaumont and she married Sir George Villiers, who died leaving her a young widow with several children. One of these was George, now the Duke of Buckingham, and the Favorite of King James. With the rapid rise of her son George, Lady Compton came to be a very formidable power and she is reported to have been the dispenser of much of the immense patronage which the Duke controlled.

Clarendon says that by her 'singular care and affection her son George was trained in those accomplishments which befitted his natural grace,' and that for his mother he 'had ever a most profound reverence,' and for her, when he deemed she had suffered a slight from Henrietta

Maria, he had come 'into the Queen's chamber in much passion,' and had told her 'she should repent of it,' and that 'there had been Queens in England who had lost their heads.'[3]

Lady Compton's eldest son was John—Sir John Villiers.

Now, Sir John was desperately impecunious, and, accordingly, his enterprising mother had fixed her acquisitive eye on the Lady Frances. Consequently, Sir John had, heretofore, sought her in marriage. Her father, at that time Chief Justice, and in the hey-day of his power, had scorned the match. But a great change had come. Coke had been deprived of his office under circumstances which did him infinite honor. He was shorn of power. Bacon was lord of the ascendant. Coke's readiest way to recoup his fortunes was to gain the favor of Buckingham.

Winwood, the Secretary of State, who had a crow to pick with Bacon, suggested to Coke that he bestow the Lady Frances on Sir John Villiers. Winwood found Coke now eager to dicker.

The former Chief Justice might kill two birds with one stone; he might regain his old place, and, at the same time, he might put his hated rival under his feet.

Accordingly, be it said to his shame, Coke, without consulting either his amiable lady or his daughter, offered the young woman to Villiers. The circumspect Sir John replied that: "Although he would have been well pleased to have taken her in her smock, he should be glad, by way of curiosity, to know how much could be assured by marriage settlement upon her and her issue."

Coke was loathe to fully satisfy Sir John's most delicate "curiosity," as may be gathered from Chamberlain's let-

[3] Lady Compton was married three times, her last husband being Sir Thomas Compton, a rich country grazier. In 1618 she was created Countess Buckingham in her own person. She died in 1632.

On her tomb in the chapel of St. Nicholas, in Westminster Abbey, there is carved, as if by way of challenge to envious detractors, these lines: "Descended from five of the most powerful Kings of Europe by so many direct descents." "England Under the Stuarts." Jesse, Vol. I, pp. 177-184.

ter to Carleton:[4] "The Lord Coke is left in the suds, but sure it is God's doing according to the old saying, *perdere quos vult Jupiter prius dementat.* For, if he had had the grace to have taken hold of the match offered by Sir John Villiers, it is assuredly thought that, before this day, he had been Lord Chancellor. But, standing on terms to give but 10,000 Marks with his daughter, when £10,000 was demanded, and sticking at £1,000 a year during her life (together with some idle words that he would not buy the King's favor too dear, being so uncertain and variable) he hath let slip the occasion."

However, the trafficking still went briskly on; and, about the middle of June, Winwood was able to report to Buckingham the ardent desire of Coke to be restored, to the King's favor "without which he, at length, professed he could no longer breathe."

A pact was speedily concluded under the terms of which Sir Edward's normal respiration was immediately resumed, and Sir John's "curiosity" was most handsomely satisfied to the tune of £10,000, coin of the realm.

Meantime, the Kingdom was all agog over the matrimonial wranglings of Sir Edward and his Lady.

There came, first, a spicy prologue to the swelling act of the principal theme.

"The Lady Hatton," writes the garrulous Rev. George Garrard,[5] "accuses her husband by way of petition to the Council table for a contempt against the King in menacing her that if she set her hand unto those articles which the King hath commanded him and my Lord of Exeter, he would make himself whole, double and treble out of her estate. The business concerned Sir Rob. Rich and Sir Chr. Hatton. Upon the delivery of this petition, Sir Edward Coke was sent for before the Council. A day was appointed for hearing of this business when I was present. It grieves me to hear such differences between man and

[4] March 15, 1617.

[5] To Carleton, June 4, 1617.

wife; but counsel of both sides speaking, the business was extremely aggravated. She chargeth him of menacing her, of defeating her of her jointure; of having a propriety in her purchased land which he will not relinquish. His counsel make answer and charge her for having disfurnished and taken away out of three of his houses—all hangings, plate and household stuff, and also, that she gave him to his face, or by letter, these unfit words of false, treacherous villain."

"The Lord Coke and his Lady have great wars at the Council Table." . . . "What passed yesterday I know not yet. But the first time she came accompanied with the Lord Burghley and his Lady, the Lord Davers, the Lord Denny, Sir Thomas Howard and his Lady, with I know not how many more, and declaimed bitterly against him, and so carried herself that divers said Burbage[c] could not have acted better.

[c] Richard Burbage was a famous actor and theatrical manager of the reigns of Elizabeth and James I.

He was the son of James Burbage—also an actor of repute, and was born about 1567. After the death of Leicester, his company of actors became members of the Company of the Lord Chamberlain—the chief group of actors of that day being divided into the two great companies belonging, respectively, to the Lord Chamberlain and the Lord Admiral.

The Burbages were fellow townsmen of Shakespeare, and the younger Burbage was, for many years, intimately associated in a business and professional way with him. They and their associates built the Globe, and Burbage's name stands next to that of Shakespeare in the licenses for acting granted to the company of the Globe theatre by James in 1603. Burbage has been handed down from generation to generation in theatrical tradition as typifying supreme histrionic excellence. What is actually known of him is gathered, mostly, from the elegies written on his death. Here is one—a veritable evocation of his great Shakespearian roles:

"He's gone, and with him what a world are dead,
Which he not long before so glorified
Friends every one, and what a blank instead!
Take him for all in all he was a man
Not to be matched, and no age ever can.
No more young Hamlet, though but scant of breath
No more young Hamlet, though but scant of breath
Shall cry, 'Revenge' for his dear father's death.
Poor Romeo never more shall tears beget
For Juliet's love and cruel Capulet:
Harry shall not be seen as king or prince,
Harry shall not be seen as king or prince,
They died with thee, dear Dick (and not long since),
Not to revive again. Jeronimo
Shall cease to mourn his son Horatio;
They cannot call thee from thy naked bed
By horrid outcry; and Antonio's dead.
Edward shall lack a representative;
And crookback, as befits, shall cease to live.
Tyrant Macbeth, with unwashed bloody hand,
We vainly now may hope to understand.
Brutus and Marcius henceforth must be dumb,
For ne'er thy like upon the stage shall come,
To chain the faculties of ears and eyes,
Unless we could command the dead to rise.
Vindex is gone, and what a loss was he!
Frankford, Brachiano and Malvole.
Heart broken Philaster and Amintas too,
Are lost forever; with the red-haired Jew,
Which sought the bankrupt merchant's pound of flesh,
By woman-lawyer caught in his own mesh.
What a wide world was in that little space,
Thyself a world—the Globe thy fittest place!
Thy stature small, but every thought and mood
Might thoroughly from thy face be understood;
And his whole action he could change with ease.
From ancient Lear to youthful Pericles.
But let me not forget one chiefest part,
Wherein, beyond the rest, he moved the heart;
The grieved Moor, made jealous by a slave,
Who sent his wife to fill a timeless grave,
He slew himself upon a bloody bed.
All these, and many more, are with him dead."

Burbage died March 16, 1618-19. He was buried in the Church of St. Leonard's, Shoreditch.

The brief and solemnly impressive inscription over his grave reads:

Exit Burbage.

"Indeed, it seems he hath carried himself very simply (to say no more) in divers matters, and, no doubt, he shall be sifted thoroughly; for the King is much incensed against him still, and by his own weakness he hath lost those few friends he had."[ca]

The dispute was referred by the Council to the Lord Carew and the Chancellor of the Exchequer, and shortly after, Chamberlain records: "Sir Edward Coke and his Lady after much animosity and wrangling are lately made friends; and his curst heart hath been forced to yield to more than ever he meant, but upon this agreement he flatters himself that she will prove a very good wife."

But with hardly a breathing space, the couple were again at daggers points. The *casus belli*, this time, was the espousal of the Lady Frances to Sir John Villiers. The damsel, herself, seemed languidly acquiescent. Far otherwise, the mother. It is not probable that *she* ever was languid in anything. Certain it is, that, in this matter, she

[ca] Chamberlain to Carleton.

was, not unreasonably, all aflame in open rebellion against her Liege Lord.

One night at ten (it seems that the habit of Sir Edward was to go to bed at nine) Lady Hatton surreptitiously emerged from Hatton House, Holborn, with the Lady Frances. They entered a waiting coach, and by a circuitous and obscure route, they reached, the next morning, a house of the Earl of Argyle at Oatlands, then occupied by their cousin, Sir Edmund Withipole. Here, they concealed themselves. While at Oatlands, Lady Hatton did everything in her power to prevent her daughter's marriage to Sir John Villiers, even going so far as to offer her to the young Earl of Oxford, and, in furtherance of the project, she actually exhibited to the Lady Frances a forged letter purporting to come from the Earl which declared that he loved her much and sought her hand.

Meantime, Coke, learning "with great cunning" where the fugitives were, procured a warrant from Sir Ralph Winwood to search for his daughter.[7]

Coke, accordingly, gathered together a band of armed men,—his sons, dependents and servants, and putting himself with sword and pistols at their head, they marched to Oatlands.

The party forced open the barricaded gate leading to the house, "brake open divers doors," and, at last, found the wife and daughter secreted in a small closet. Without more ado, Coke seized Lady Frances, and carried her to his Stoke Pogis house, where she was locked in an upper chamber. In the wild chase on the return, "His Lady was at his heels, and if her coach had not tired in the pursuit after him, there were like to be strange tragedies."[8]

"These eight or ten days here have been great stirs 'twixt the L. Coke and his Lady," writes Chamberlain to Carleton.[9]

[7] Lord Campbell says that Coke applied to the Privy Council for a warrant, and there being some difficulty in obtaining it, he resolved to take the law into his own hands.

[8] Chamberlain to Carleton, July 19, 1617.

[9] July 19, 1617.

We have a lively account of an episode in one of these "stirs" contained in a letter addressed to Mrs. Ann Sadler, a married daughter of Coke, now among the MSS. at Trinity College, Cambridge. After an accident on the way, "at last," says the writer, "to my Lord Keeper's [Bacon] they [Lady Hatton and Lord Holles] come, but could not have instant access to him for that his people said he was laid at rest, not being well. Then my La. Hatton desired she might be in the next room where my Lord lay, that she might be the first that spake with him after he was stirring.

The door-keeper fulfilled her desire, and, in the meantime, gave her a chair to rest herself in, and then left her alone; but not long after, she rose up and bounced against my Lord Keeper's door, and waked him and affrighted him that he called his men to him; and they opening the door, she thrust in with them, and desired his Lp. to pardon her boldness, but she was like a cow that had lost her calf, and so justified, and pacified my Lord's anger, and got his warrant and my Ld. Treasurer's warrant and others of the Council to fetch her daughter from the father and bring them both to the Council."

Certain entries in the Council proceedings state that there was a petition delivered to them by "the Lady Hatton complaining in somewhat a passionate and tragical manner"—of her husband's acts in and about the apprehension of his daughter. The following Tuesday was appointed for hearing Sir Edward Coke upon his wife's complaint.

"The matter being thus ordered, we fell to other business, and while we were in dispatch thereon, the Lady Hatton came to the Council Chamber door, and desired to have access to the Board, which being admitted, she was told that order was taken concerning her petition; but she, making further instance, desired her daughter might be forthwith sent for in regard she was grown to that weakness by occasion of the violence and fright she had taken

as was with speed to be looked into for the safety of her life; and that, therefore, she might be brought to London that night and remain in some place where she might have such help by physic and attendance as were requisite for her preservation and recovery. Which being thought reasonable in humanity and for avoiding other inconveniences, a letter was written from the Board to Sir Edward Coke acquainting him with his Lady's Complaint and desire, and requiring him to deliver his daughter to Mr. Edmonds, Clerk of the Council, to be brought by him to London and kept in his house until the hearing of the cause."

Now, it seems that when the Clerk presented the letter on Sunday evening, Coke said it was late; that his daughter was in no such extremity; that "upon his peril he would deliver her at Mr. Edmonds' house the next morning," but "forebore" to do it then.

Upon hearing this, the Board "thinking their order neglected, and doubting whether he would keep promise gave warrant with a clause of assistance to bring her to Mr. Edmonds' house accordingly."

Coke, however, did have his daughter fortheoming the next morning, and having brought her by a different road from that taken by the party with the warrant, a clash at arms was avoided.

Gerrard, writing of the incident, says that there went forth with the warrant to meet the Lady Frances as she should come up in her coach, "the Lord Haughton, Sir Edward Sackville, Sir Rob. Rich and others with three score men and pistols. They met her not; if they had, there had been a notable skirmish, for the Lady Compton was with Miss Frances in the coach, and there was Clem Coke, my Lord's fighting son;[10] and they all swore they

[10] Of Sir Edward Coke's numerous sons by his first wife "none gained any distinction except Clement, the sixth, who, being a member of the House of Commons at the beginning of the reign of Charles I., in the debate on the impeachment of Buckingham, had the courage to use these words: 'it is better to die by an enemy than suffer at home,' for which there came a complaint from the crown, and he would have been sent to the Tower but for the great respect for the Ex-Chief Justice who was sitting by his side and disdained to make any apology for him."—Campbell's "Lives of the Chief Justices," Vol. I, p. 286.

would die in the place before they would part with her."

The bird having now been securely caged, the Council next took order to see that she was unmolested pending the disposition of her. "We hearing that many friends resorted thither on both sides, and doubting some disorder, gave directions that she should be kept private until the hearing, which was the next day, and two gentlewomen only to be admitted to her company."

At this hearing, Coke, answering his wife's petition, counter-charged. He accused her of an intention to carry his daughter into France in order to break off the match with Villiers—but offered no proof in support of it. To the "riot and force" charge he did not plead warrant, but met it by the assertion that, by law, any father might, at his own discretion, break into anybody's house in search of his fugitive daughter.

"Upon all which matter the Board thought fit that because it appeared that so great a riot now in the King's absence, and by a person of that quality was fit to be punished, the rather that he called no constable or other officer unto him, as confessed, but took upon him, being the party grieved, to be *vindex doloris proprii*, contrary to all government."

The Council, accordingly, directed the Attorney General to prefer an information in the Court of Star Chamber against Coke "for the force and riot used by him upon the house of Sir Edmund Withipole, to be in that Court heard and sentenced as justice shall appertain."

"To prevent all new occasions of tumult or breach of peace" the Lady Frances was disposed of, first, in the house of the Attorney General and, afterwards, in Lord Knevett's house near Staines. Coke and his Lady were also enjoined to forbear all occasion of violence or dis-

turbance whatsoever, as well as touching the person of their daughter as any other matter or point concerning that business.

King James and Buckingham were, during all this hurly-burly, absent in Scotland, and it never seems to have occurred to the members of the Council (Winwood alone excepted) that they were treading on very dangerous ground.

If Winwood made no disclosure, it probably may be ascribed to his desire to see his hated enemy, Bacon, ride to his fall. Be this as it may, Bacon, usually so wary and worldly-wise, engrossed by the very human desire to thwart and defeat his ancient foe, was smitten at this conjuncture, with an almost fatal fatuity.

Early in the action, he wrote Buckingham that "Secretary Winwood hath officiously busied himself to make a match between your brother and Sir Edward Coke's daughter; and, as we hear, he doth it rather to make a faction than out of any great affection to your lordship. . . This match . . I hold very inconvenient both to your brother and yourself. First: He shall marry into a disgraced house, which in reason of state is never held good.

Next, he shall marry into a troubled house of man and wife, which in religion and Christian discretion is disliked. Thirdly, Your Lordship will go near to lose all your friends as are adverse to Sir Edward Coke"—save (he hastens to add), himself.

Bacon also says that the consummation of the match will "cast the King back, and make him relapse into those inconveniences which are now well on to be recovered."

The project, so he represented, had been "carried so harshly and inconsiderately by Secretary Winwood, as for doubt that the father would take away the maiden by force, the mother, to get the start, hath conveyed her away secretly."

But ere long, Bacon and his fellow Councillors awoke from their trance with a great start, and then followed a frantic scurrying to cover.

The Council, now that the King's pleasure was known, obsequiously reversed itself. The Attorney General, at whose house the daughter had been under "a palliating agreement between Sir Edward Coke and his Lady," sent Lady Frances home to Hatton House with orders that the puissant Lady Compton and her son should have access "to win her and wear her," and applied himself assiduously to work a reconciliation between husband and wife.

Lastly, the Council directed that the information and all other proceedings in the business be suspended and left wholly to the King's pleasure.

Bacon still stood in evil case. Two weeks had now elapsed since he had written his meddling letter to Buckingham, and the ominous silence had not yet been broken.

Finally, he mustered up courage to address the King.

He hopes (such was the tenor of his letter) that, if there be any merit in drawing on the Coke-Villiers match, his Majesty would bestow the thanks "not upon the zeal of Sir Edward Coke to please your Majesty," "nor upon the eloquent persuasions or pragmaticals of Mr. Secretary Winwood, but upon them who, carrying Your commandments and directing with strength and justice . . have so humbled Sir Edward Coke as he seeks now that with submission which (as your Majesty knows) before he rejected with scorn."

He prays the King, if it be his resolution that the match go on, that he may receive his Majesty's commandments, "imagining with myself (though I will not wager upon women's minds) that I can prevail more with the mother than any other man."

He assures his Majesty that his prerogative and authority have "risen some just degree above the horizon more than heretofore, which hath dispersed vapors. Your Judges

are in good temper. Your Justices of Peace, which is the body of the gentlemen of England, grow to be loving and obsequious and to be weary of the humor of ruffling. All mutinous spirits grow to be a little poor and to draw in their horns, and not the less for your Majesties disauthorizing the man I now speak of."

He fears him much, however, that Coke's coming in with the strength of such an alliance "will give a turn and a relapse in men's minds unto the former state of things hardly to be holpen to the great weakening of your Majesty's service." If Coke come in, his Majesty can hardly hope to go to Parliament with a United Council, not, Bacon hastens to add, "for any difference of mine own, for I can be *omnibus omnia* for your Majesty's service," but because Coke "is by nature unsociable, and by habit popular, and too old now to take a new ply."

Still no word from King or Favorite.

Then Bacon dispatched two additional letters to Buckingham. At last, Buckingham answered, concluding with these uncomfortable words: "In this business of my brother's that you over-trouble yourself with, I understand from London by some of my friends that you have carried yourself with much scorn and neglect both towards myself and friends, which if it prove true, I blame not you but myself."

The correspondence of the King was stern and surly.

"Every wrong," he wrote, "must be judged by the first violent and wrongous ground whereupon it proceeds, and was not the theftous stealing away of the daughter from her own father the first ground whereupon it proceeds, and hath since proceeded? For the ground of her getting again came upon a lawful and ordinary warrant subscribed by one of our Council for redress of the former violence, and except the father of a child might be proved to be either lunatic or idiot, we never read in any law that either it could be lawful for any creature to steal his child from him

or that it was matter of noise and streperous carriage for him to hunt for the recovery of his child again."

The King energetically defended Buckingham, and indignantly inveighed against what he was pleased to call a greater jealousy by Bacon of Buckingham than the Favorite had "ever deserved at your or any man's hands."

He heatedly repudiated the inference that "we ever took upon us such a patrocing of Sir Edward Coke, as if he were a man not to be meddled withal in any case," but "whereas you talk of the riot and violence committed by him, we wonder you make no mention of the riot and violence of them that stole away his daughter which was the first ground of all this noise as we said before." "The opposition, which we justly find fault with you, was the refusal to sign a warrant for the father to the recovery of his child, clad with these circumstances (as is reported) of your slight carriage to Buckingham's mother when she repaired to you upon so reasonable an errand." "First to make an opposition, and then to give advice by way of friendship, is to make the plough to go before the horse."

Bacon remained persistently and abjectly penitent and so worked upon Buckingham's feelings that 'out of the sparks of his old affection' towards Bacon, the Favorite finally prevailed on his Majesty to abandon his expressed intention of 'putting some exemplary mark upon Bacon,' and, instead, the King stated that some of the particular errors committed in the business, he would specify, but without accusing any particular person by name.

Bacon's effusive reply is addressed to "My Ever Best Lord, Now Better than Yourself." "Your Lordship's pen, or rather pencil," he writes, "hath portrayed towards me such magnanimity and nobleness and true kindness as methinketh I see the image of some ancient virtue, and not anything of these times."

He counts himself "happy by this reviver, through his

Majesty's singular clemency and your incomparable love and favor."

And this unutterable sycophancy, this grotesque masquerading of the none too savory "Stennie" in "the image of some ancient virtue"—all this only to be presently hurled from his high place for bribe taking!

On Michaelmas day, the marriage of the Lady Frances and Sir John Villiers was celebrated at Hampton Court in the presence of the King and Queen and a most distinguished company.

A banquet and a masque were features of the occasion. Lady Hatton was conspicuously absent. The game had gone against her. She had not succeeded in preventing the marriage, and she had failed in her endeavors to have her husband punished. Nay more, Coke was, true to his nature, vengeful. "I have," he wrote Buckingham, "full cause to bring all the confederates into the Star Chamber, for conveying away my child out of my house." Before he had been two weeks at the Council Board the necessary machinery was set in operation to effect this.

Chamberlain, referring to Lady Hatton's plight at this time, writes:[11] "She lies still at Sir W. Cravens, crazy in body and sick in mind. There is a commission to the Lord Keeper, the Lord Archbishop, Secretary Winwood, and I know not who else, to examine her of conspiracy, disobedience, and many other misdemeanors, and to proceed against her in some stead for the time; and if she come again to herself, it may be that in space there will grow grace. But sure, she is in a wrong way now, and so animated towards her husband that it is verily thought she would not care to ruin herself to overthrow him."

But though Fortune had averted her face the Lady held in reserve a trump card which, to the great discomforture of her malignant spouse, she now proceeded to play.

[11] October 11, 1617.

For £20,000 Sir Edward had redeemed the land he had allotted to his daughter. The Cormorants had, therefore, received from him £30,000 paid down. There was little or nothing more to be extracted from *him*.

The situation, as it related to his wife's fortune, was entirely different. It was desirable that she settle it on the bride. What more logical, therefore, than that Lady Hatton should be restored to favor?

"The King coming to town yesterday," writes Chamberlain, "it was told me that the Earl of Buckingham meant to go himself and fetch her, as it were, in pomp from Sir William Cravens' (where she hath been so long committed) and bring her to the King, who upon a letter of her submission is graciously affected towards her. But another cause is that seeing her yielding and, as it were, won to give allowance to the late marriage, he will give her all the contentment and countenance he can, in hope of the great portion she may bestow on her."

Shortly after, Lady Hatton gave a royal feast at her home at Holborn at which the King was present, and, to make it more absolutely her own, she had the exquisite pleasure of issuing express commandment that neither Sir Edward Coke, nor any of his servants should be admitted.

"Revenge is sweet, especially to woman." So, at least, sang the cynical Byron.

The subsequent careers of Coke and Bacon are writ large on many a page of those celebrated times. Of the two ladies who bore, the one actively, the other passively, such conspicuous roles in this extraordinary episode in the Annals of the House of Coke, not so much is known to the world.

Sir John Villiers, (now Viscount Purbeck) and his wife did not, as might have been confidently predicted, get along well together.

She dressed, at home and abroad, in man's attire, and swaggered in the Park with sword and plume.

She entered into an unholy alliance with a notorious charlatan, one Dr. Lamb, an astrologer and enchanter, who, for a suitable consideration, inducted the fair, frail ladies of that day into the mysteries of magic and the Seven Arts. Him she arranged with to supply her with philters with which to cast a spell on her Lord. Charged with working her diabolical machinations on him, she assailed the grave and venerable judges before whom she was brought with ribald jest. Nor was it deemed prudent to proceed against her for witchcraft in a criminal tribunal.

She had, however, eloped with Sir Robert Howard; and, for this offense, having been called into the High Commission she was there sentenced to stand in a white sheet in the Savoy Church—a punishment which she avoided by flight.[12]

[12] This sentence was the usual form of penance prescribed by the ecclesiastical law in cases of incontinency: "The sinner is usually injoined to do a publick penance in the Cathedral or parish church, or public market, barelegged and bareheaded, in a white sheet and to make an open confession of his crime in a prescribed form of words." Burn—Ecclesiastical Law, Vol. 4, p. 73. See, also, Godolphin, Repertorium Canonicum, Appendix, p. 13, par. 56.

Perhaps the best known case in English history in which this form of penance was imposed is that of Jane Shore, to whom many references in the annals and literature of her day may be found. She was "worshipfully friended, honestly brought up, and very well married;" her husband, Shore by name, "young and goodly, and of good substance."

Her inclinations, however, had not been consulted, and she readily swayed to the blandishments of the handsome Edward IV.

"Proper she was and faire:" records Speed, "nothing in her body that you could have changed, unlesse you would have wished her some what higher. . . . Yet delighted not men so much in her beautie, as in her pleasant behaviour, for a proper wit she had, and could both reade well and write, merry in company, ready and quicke of answer, neither mute nor full of babble, sometimes taunting without displeasure, and not without disport."

Hume says that the ascendant over the King "which her charms and vivacity long maintained, were all employed in acts of beneficence and humanity. She was still forward to oppose calumny, to protect the oppressed, to relieve the indigent, and her good offices, the genuine dictates of her heart, never waited the solicitation of presents, or the hopes of reciprocal services." Sir Thomas More, of immortal memory, pays her this splendid tribute: He assures us that her influence was "never abused to any man's hurt, but to many a man's comfort and relief."

After the death of Edward, at the instigation of the tyrannical and bloodthirsty Duke of Gloucester, then Protector, she was summoned to answer before the Council for sorcery and witchcraft; but as no proofs could be adduced against her, Gloucester (so writes Speed with withering scorn), "as a good continent Prince, cleare and faultlesse himself, sent out of Heaven unto this vitious World for the amendment of men's manners, after she had laine prisoner in Ludgate, caused the Bishop of London to put her to open penance, going before the Crosse, in procession upon a Sunday, with a Taper in her hand. In which she went in contenance and pace demure, so womanly, and, albeit, shee went out of all array, save her Kirtle, onely, yet went she so faire and lovely, namely, while the wondering of the people cast a comly rud in her cheeks (of which, before, she had most mist) that her great shame won her much praise among those that were more amorous of her body, than curious of her soule. And many good folke, also, that hated her living, and glad to see sinne so corrected, yet pittied the more her penance, than rejoiced therein, when they considered that the Protector procured it more of a corrupt intent, than any vertuous affection."

Cynical historians have not failed, however, to note that the penance did not induce "Shores Wife" to reform; inasmuch as she swiftly thereafter formed an illicit connection with the Marquis of Dorset.

Following her escape she remained quietly with her father at Stoke until his death. Emboldened, apparently, by the immunity from arrest which she had enjoyed while under Sir Edward's roof, "she lodged herself," says Garrard, "on water side over against Lambeth, I fear, too near the Road of the Archbishop's Barge." This scandalous defiance of the proprieties resulted in the issuance of a warrant from the Lords of the Council to carry her to the Gate-House "where she will hardly get out, until she have done her Penance."[12a]

Mr. Garrard was a false prophet. Something more than a year later, we learn that Lady Purbeck has made her escape from the Gate house, and that "Sir Robert Howard lyes by it still close Prisoner in the Fleet, being so committed from the High Commission Court until he shall bring her forth; who being there cannot do it, for he sees nobody; and if he were out, would not do it."

A short time afterwards, Sir Robert, after a month's close imprisonment, obtained his liberty by giving a two thousand Pounds bond "never more to come at the Lady Purbeck." "The Lady, I hear, passed in man's cloaths first into Jersey, since, she is in France, and there means to continue."

[12a] Garrard.

Subsequently, a messenger was sent to seek her with a Privy-Seal from his majesty to summon her into England to answer for her transgressions.

The last reference we find to her and to Sir Robert in Garrard's correspondence is under date April 28, 1637: "Another of my familiar acquaintance is gone over to the Popish Religion, Sir Robert Howard, which I am very sorry for: my Lady Purbeck left her Country and Religion both together, and since he will not leave thinking of her, but live in that detestable sin still, let him go to their Church for Absolution, for Comfort he can find none in ours."[13]

Lady Purbeck died comparatively young, leaving a son, who being deemed illegitimate, was not permitted to inherit the estate and titles of her husband.

Lady Hatton was never reconciled to her Lord, and it has been shrewdly suspected that she thought him an unconscionably long time in dying.

The following passage from Garrard to Lord Deputy Strafford, written some sixteen or seventeen years after the marriage of Lady Frances, is illuminating: "Sir Edward Coke was said to be dead, all one morning in Westminster Hall this term, insomuch that his wife got her brother, the Lord Wimbledon, to post with her to Stoke to get possession of that place; but beyond Colebrook they met with one of his physicians coming from him, who told of his much amendment, which made them all return to London."

However, Lady Hatton was finally substantially rewarded for her 'watchful waiting,' for she survived her husband many years, and, on his death, took possession of his house at Stoke Pogis. She was residing there when the great Civil War began, and earnestly supported the Parliament against the King.

[13] Extracts from Garrard's letters to Strafford in Letters and Dispatches of Thomas, Earl of Strafforde, Vol. I, pp. 390, 426, 434, 447; Vol. II, p. 73.

This interesting incident of the period is preserved: On the approach of Prince Rupert she fled, leaving behind her a letter addressed to him, saying: "I am most heartily sorry to fly from this dwelling when I hear your Excellency is coming so near it, which, however, with all in and about it, is most willingly exposed to your pleasure and accommodation." Then she added: "The Parliament is the only firm foundation of the greatest establishment the King or his posterity can wish and attain, and therefore, if you should persist in the unhappiness to support any advice to break the Parliament upon any pretence whatsoever, you shall concur to destroy the best ground work for his Majesty's prosperity."[14]

[14] See Campbell's Lives of the Chief Justices of England, Vol. I, p. 286.

MSH 21409

END OF
TITLE